

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheet" of drawings includes changes to Figs. 3-4. The attached "Replacement Sheet," which includes Figs. 3-5, replaces the original sheet including Figs. 3-5.

The attached "New Sheet" of drawings includes new Fig. 6.

Attachment: Replacement Sheet and New Sheet

REMARKS

Claims 1-2, 4, and 6-9 are now pending in the application. Claims 1, 4 and 6-9 are amended. Claims 3 and 5 are cancelled. In addition, Figs. 3-4 are amended and new Fig. 6 is added. The basis for the foregoing amendments can be found throughout the specification, claims, and drawings originally filed. No new matter has been added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

DRAWINGS

The drawings stand objected to under 37 CFR 1.83 (a).

Applicant has amended Figs. 3-4 and added new Fig. 6 to address the Examiner's objections. In accordance, Applicant has also amended the brief description of the drawings for consistency.

Fig. 6 illustrates the connection of the optical power detecting module to the logic module and the optical signal selecting unit. Figs. 3-4 and 6 illustrate the working status signal and the optical signal from the protected device. Supports for the foregoing amendments can be found throughout the specification, claims, and drawings originally filed.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this objection in view of the amendments.

REJECTION UNDER 35 U.S.C. § 112

Claims 1, 2, 4 and 6-9 stand rejected under 35 U.S.C. § 112, second paragraph, as being failing to comply with the enablement requirement. This rejection is respectfully traversed.

Applicant respectfully submits support for claims 1, 2, 4 and 6-9 can be found throughout the specification, claims, and drawings originally filed. For example, para. [0030] discloses that the logic module controls the optical switch 15 (the optical signal selecting unit) and that the logic module receives signals from the optical power detection module 16 and from the protected device. Fig. 6 shows the connection of the optical power detecting module to logic module and optical signal selecting unit.

Figs. 3-4 and 6 show that two signals are transmitted from the protected device; one is the working status signal and the other is the output optical signal. Para. [0024] discloses that a selector selects one signal to send to the destination-neighboring device according to working status of the protected device. In other words, the protected device outputs a working status signal for signal selection. Also, para. [0028] discloses "according to the protected device working status, the optical switch...." In other words, the protected device outputs a working status signal for signal selection.

Applicant respectfully submits that one of ordinary skill in the art would appreciate that although the working status signal and the optical signal are transmitted separately in Fig. 6, there may be various ways to transmit the two signals. Therefore, how to transmit the two signals is not limited to the illustration of the figures.

In conclusion, the subject matter contained in the claims has been described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or used this invention.

Claims 1-2 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant has amended claim 1 to replace the term "the protected device" in line 6 by the term "a protected device". Claims 6 and 8 are amended accordingly. Applicant submits that claims 1-2 are now in condition for allowance. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection in view of the amendments.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 4 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ramaswami (U.S. Pat. No. 6,947,623). This rejection is respectfully traversed.

Applicant respectfully submits that the Examiner fails to consider claims 1, 2, 4 and 7 as amended in the paper submitted on September 28, 2007. The claims rejected by the Examiner in the outstanding Office Action dated December 27, 2007 are not the claims submitted in that paper.

Claim 1 recites, among other things, receiving a working status signal output generated by the protected device and an output optical-signal from the protected device, and selecting one from the second duplicated optical-signal and the output optical-signal of the protected device according to the working status signal output of the protected device, and sending the selected one to a destination-neighboring device.

Ramaswami fails to anticipate "receiving a working status signal output generated by the protected device and an output optical-signal from the protected device", as recited in claim 1. In Ramaswami, the switch status signals and switch control signals are generated at I/O ports at the destination receiving side, Ramaswami, col. 7, lines 3-17, rather than at a redundant optical switch core.

Applicant submits that it is important where the working status signal is generated. In Ramaswami, it appears that packets are transmitted to the destination device by the protected device even if the protected device is not operating normally and that working status signal is generated at the destination receiving side; the failure occurring in the protected device is unable to be detected, because packets are still received by the destination device; only failures of abnormal physical links can be detected; working status of the protected device can not be monitored. In the claimed invention, if failures such as abnormal software, abnormal traffic, abnormal function and the like occur in the protected device, the destination device can determine if the protected device is abnormal according to the working status signal generated by the protected device.

Furthermore, Ramaswami fails to anticipate "sending directly the second duplicated optical signal to be selected", as recited in claim 1. Ramaswami appears to discuss, as shown in Fig. 9, that the optical switch receives the second optical signal to be selected and the second optical signal (signal 635) is sent to the optical switch via the optical switch core; the second optical signal is first processed by the optical switch core and then sent to the optical switch. In the claimed invention, the second duplicated optical signal is directly sent to the optical-signal selecting unit, without being processed.

In view of the foregoing, Applicant respectfully submits that claim 1 and its dependent claim 2 define over the art cited by the Examiner. Likewise, claims 4 and its dependent claim 7 also define over art cited by the Examiner.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

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Respectfully submitted,

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